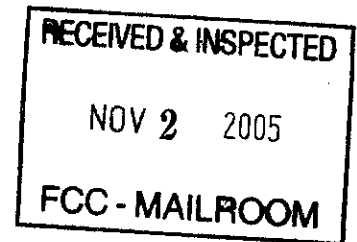


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October 28, 2005

Federal Communications Commission  
Office of the Secretary  
445 - 12<sup>th</sup> Street, SW  
Washington, DC 20554

To Whom It May Concern:

This is a Request for Review regarding an Operational Change of Spin for Billed Entity Number 123590, New Brunswick Board of Education, for the 2004-2005 E-rate funding year. This is for Docket No. 02-6.

Applicant Name:	New Brunswick Board of Education
Applicant Address:	268 Baldwin St. New Brunswick, NJ 08901
Form 471 Number-	420048
FRNs-	1157830, 1157902
Case Numbers-	21-256807, 21-229995, 21-189547

We are requesting a review of the denial of an appeal by USAC after the service end date was incorrectly listed on a Revised Funding Commitment Letter issued by USAC. I will include information that has been sent to USAC and all documents that have been received from USAC in the supporting documents section. I will try to simplify this request as the original appeal was perhaps too detailed and caused confusion. I will also include a copy of the postmark on the Administrator's Decision on Appeal that was received from USAC (please see page 1 of the Supporting Documents). The letter was originally sent to the incorrect address and not received. It was resent on 9-28-2005 as shown by the postmark. As there is a 60-day time period in which this appeal must be received by the FCC, please note that it was not received until early October. The date of the letter is the date that the original letter was mailed to the incorrect address.

The original SPIN change for FRN 1157830 was sent to USAC on 10-20-2004. It was then re-sent with corrections, after being denied on 10-28-2004. After several calls to USAC to follow-up on the request, I was told that the SPIN change had not been received. The SPIN Change was sent a third time on 3-7-2005. Following the third submission, I was contacted by a USAC representative and asked to modify the request and re-fax it on 3-18-2005. There was some confusion at USAC over what was being requested and whether the SPIN Changes should be combined. I discussed the request in great detail with the USAC representative to ensure that the request was understood. The USAC representative indicated that he understood and would list the service end date as 6-30-2005. Upon receiving the Revised Funding Commitment Decision Letter on 4-15-2005, however, the service end date was incorrect and listed as 12-31-

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2004, not 6-30-2005 as requested. A copy of the Change of SPIN requests that were sent to USAC are on pages 12-19 of the Supporting Documents section.

## **Background**

In November, 2004, New Brunswick School District changed their long distance service from AT&T to ATX Communications. In addition, intra-lata tolls carried by Verizon were also changed to be with ATX Communications. In January, 2005, New Brunswick School District changed a portion of their local telephone service that was previously provided by Verizon to be with ATX Communications. These changes were made to reduce telecommunications costs.

## **SPIN Change Request**

We requested that FRN 1157830 be split to account for the intra-lata tolls being changed to be carried by ATX Communications, as opposed to Verizon. A new FRN was to be created for ATX Communications. This should have been done with an effective date of 11-1-2004 and a service end date of 6-30-2005.

We also requested that FRN 1157902 be changed to reflect ATX Communications as the long distance carrier, as opposed to AT&T. This also should have been done with an effective date of 11-1-2004. This is provided for information purposes only to better explain what was being requested.

We were originally advised by USAC to file the above two SPIN changes to change the intra-lata and long distance traffic to ATX Communications before we filed for a third, as they would have two different effective dates. The first two SPIN changes would have to be processed prior to the third SPIN change being sent. The third request was to have a portion of the local telephone service that was provided by Verizon to also change to be with ATX Communications. This should have been done with an effective date of 1-1-2005 and a service end date of 6-30-2005. The majority of the school district's telephone service would still remain with Verizon. In March, 2005, we were advised to send all of the SPIN changes again as USAC did not have any record of them. On 3-18-2005, we spoke with the USAC representative who was handling the SPIN change. We were advised that the two SPIN changes requesting that services be changed from Verizon to ATX Communications should be combined. All SPIN changes were revised to accommodate this request.

I will include the three SPIN Change requests; along with the SPIN Change that we were advised to combine to include both SPIN Changes that requested a change from Verizon to ATX Communications. Please note that all though there were three requests, the two changing service from Verizon to ATX Communications were combined.

After receiving the Revised Funding Commitment Decision Letter, we found that the service end date for FRN 1157830 was listed as being 12-31-2004, not 6-30-2005. This is not what was requested or discussed with the USAC representative who processed the SPIN Change, or for that matter, what is indicated on the SPIN Change requests. This error caused New Brunswick

Board of Education to not be funded for FRN 1157830 after 12-31-2004 even though the majority of their local telephone service remained with Verizon. They essentially lost all funding for the Verizon expenses for the second half of the school year.

In the Administrator's Decision on Appeal letter, USAC denies the appeal based on the fact that the supporting documents for FRN 1157830 request a service end date of 12-31-2004. All supporting documents that were sent to USAC in the appeal show a service end date of 6-30-2005. I do not understand how USAC came to this decision when the supporting documents show the exact opposite and support the basis for the appeal. USAC also mentions the 3-18-2005 conversation with the USAC representative, which again supports the basis of the original appeal and would indicate that USAC was aware that the forms had been modified at the request of USAC.

The service end date for FRN 1157830 was simply listed incorrectly on the Revised Funding Commitment Decision Letter. USAC goes on to deny an appeal for FRN 1157902, for which an appeal was never requested. All information for FRN 1157902 is given to provide background information and to explain what occurred during the SPIN change. We are not requesting any action on FRN 1157902.

Please have the service end date for FRN 1157830 corrected to be 6-30-2005 so that the correct funding is restored

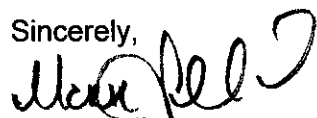
Should there be any questions regarding this request, please direct them to Mark Seltzer at 610-280-3810. As there has been much confusion and delay in the request, I will be happy to clarify any questions that may arise to ensure that this matter is resolved. The loss of funding due to this error will cause financial hardship to New Brunswick Board of Education should this again be denied.

All correspondence regarding this review should be sent to:

Mark Seltzer  
256 Eagleview Blvd.  
Suite 513  
Exton, PA 19341

Thank you for your cooperation.

Sincerely,



Mark Seltzer

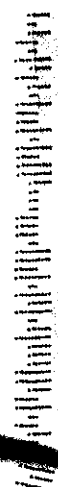
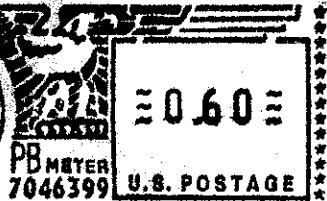
Phone: 610-280-3810  
Fax: 610-280-6111  
Email: [markseltzer@trmgi.com](mailto:markseltzer@trmgi.com)

### **Supporting Documents**

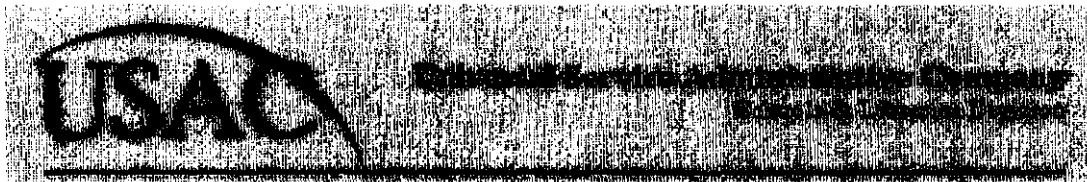
Page 1-	Copy of postmarked Administrator's Decision on Appeal
Pages 2,3-	Copy of Administrator's Decision on Appeal
Pages 4-6 -	Copy of USAC Appeal
Pages 7-14-	Copy of SPIN changes that were sent to USAC
Pages 15-19-	Copy of Revised Funding Commitment Letter

SAC

Libraries Division  
Correspondence Unit  
Herson Road  
New Jersey 07981



Mark Seltzer  
256 Eagleview BLVD #513  
Exton, PA 19341



**Administrator's Decision on Appeal – Funding Year 2004-2005**

August 31, 2005

Mark Seltzer  
Recapture Technologies Corporation  
268 Baldwin Street  
New Brunswick, NJ 08901

Re: Applicant Name: NEW BRUNSWICK SCHOOL DISTRICT  
Billed Entity Number: 123590  
Form 471 Application Number: 420048  
Funding Request Number(s): 1157830, 1157902  
Your Correspondence Dated: May 16, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2004 Revised Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1157830  
Decision on Appeal: **Denied**  
Explanation:

- On appeal, you are requesting additional adjustment be made to FRN's 1157830 and 1157902. Your letter states that after the SPIN change splits were completed, the effective dates and the amounts were incorrect. You have included the original SPIN change split requests with your appeal letter.
- Review of the appeal letter and all supporting documentation indicates that FRN 1157830 currently shows a monthly amount of \$7554.49, with a service start date of July 1, 2004 and service end date of December 31, 2004 as requested. The new FRN created from that split, #1354089 shows a monthly commitment amount of \$4710.46 with a service start date of January 1, 2005 and a service end date of June 30, 2005 as requested on March 7, 2005. SLD's records show that the

1

reviewer spoke to you on March 18, 2005 confirming the change request. SLD used the most current request to make the adjustments. The appeal is denied.

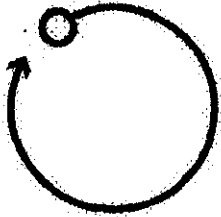
**Funding Request Number(s):** 1157902  
**Decision on Appeal:** Denied  
**Explanation:**

- On appeal, you are requesting additional adjustment be made to FRN's 1157830 and 1157902. Your letter states that after the SPIN change splits were completed, the effective dates and the amounts were incorrect. You have included the original SPIN change split requests with your appeal letter.
- Review of the appeal letter and all supporting documentation indicates that FRN 1157902 currently shows a monthly amount of \$2000.00, a service start date of July 1, 2004 and a service end date of October 31, 2004 as requested. The new FRN created from that split, #1354087 shows a monthly commitment amount of \$1309.89, a service start date of November 1, 2004 and a service end date of June 30, 2005 as requested on March 7, 2005 and October 19, 2004. The appeal is denied as the change was completed as requested by the applicant.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company



**recapture technologies corporation**

**May 16, 2005**

**Letter of Appeal  
Schools and Libraries Division  
Box 125 - Correspondence Unit  
80 S. Jefferson Road  
Whippany, NJ 07981**

**To Whom It May Concern:**

**This is a letter of appeal regarding an Operational Change of Spin for Billed Entity Number 123590 for the 2004-2005 funding year. The original SPIN change was sent to USAC on 10-20-2004. It was then re-sent with corrections, after being denied, on 10-28-2004. After several calls to USAC to follow-up on the request, I was told that the SPIN change had not been received. The third submission was on 03-07-2005. Following the third submission, I was contacted by a USAC representative and asked to modify the request and re-fax it on 3-18-2005. I discussed the request in great detail with the USAC representative to ensure that the request was understood. We received the Revised Funding Decision Letter on 04-15-2005, however it is incorrect.**

<b>Applicant Name:</b>	<b>New Brunswick Board of Education</b>
<b>Applicant Address:</b>	<b>268 Baldwin St. New Brunswick, NJ 08901</b>
<b>Form 471 Number-</b>	<b>420048</b>
<b>FRNs-</b>	<b>1157830, 1157902</b>
<b>Case Numbers-</b>	<b>21-256807, 21-229995, 21-189547</b>

**Prior to filing the Change of SPIN forms, I spoke with the USAC helpdesk and was advised that since I was requesting a split of an existing FRN as opposed to just a SPIN change, some of the information on the SLD website was not accurate. This seems to be part of the problem. Below I will give a detailed description of what is being requested.**

**In November, 2004, New Brunswick School District changed their long distance service from AT&T to be ATX Communications. In addition, intra-lata tolls billed by Verizon were also changed to be with ATX Communications. In January, 2005, New Brunswick School District changed a portion of their local telephone service that was provided by Verizon to be with ATX Communications.**

**We requested that FRN 1157830 be split to account for the intra-lata tolls being changed to be carried by ATX Communications. (SPIN 143001209) as opposed to Verizon (SPIN 143001362). This would reduce the Verizon monthly funding level from \$13,490.00, as stated on the 471**



Funding Commitment Letter by \$2,360.59 (71% of \$3324.78 as listed on the Change of SPIN). This should have left \$11,129.41 in monthly funding under the original FRN for Verizon. A new FRN was to be created for ATX Communications reflecting monthly charges in the amount of \$1810.16. This should have been done with an effective date of 11-1-2004.

We also requested that FRN 1157902 be changed to reflect ATX Communications (SPIN 143001209) as the long distance carrier, as opposed to AT&T (SPIN 143001192). This also should have been done with an effective date of 11-01-2004. This would have taken the \$2,000.00 of monthly funding, as stated on the 471 Funding Commitment Letter and created a new FRN for ATX with a reduced monthly funding of \$1,309.89.

We were originally advised to file these two SPIN changes before we filed for a third. The third request was to have a portion of the local telephone service provided by Verizon (SPIN 143001362) to also be with ATX Communications (SPIN 143001209). This change was not being made until 01-01-2005. We were told that the first two SPIN changes would have to be processed prior to submitting the third request. In March, 2005, we were advised to send all of the SPIN changes again as they were not received by USAC.

We requested that FRN 1157830 be split to account for a portion of the local telephone service changing from Verizon (SPIN 143001362) to ATX Communications (SPIN 143001209) with an effective date of 01-01-2005. This requested that \$4,229.71 in monthly costs from Verizon be changed to be with ATX, with reduced cost in the amount of \$2900.00. The total Verizon funding should have been reduced to be \$4,214.21 (71% of \$5,935.51), however it appears that the Verizon funding was reduced to \$0.00.

When we spoke with the USAC representative who was handling the SPIN change, we were advised that the SPIN changes requesting that services be changed from Verizon (SPIN 143001362) to ATX (SPIN 143001209) should be combined. This caused the effective dates to be incorrect.

I will include the three original SPIN change requests, along with the SPIN change that we were advised to combine to include both SPIN changes that requested a SPIN change from Verizon to ATX Communications.

After receiving the Revised Funding Commitment Report, the following problem was noticed. The Verizon funding was reduced to \$32,182.13 for the funding year, when it should have remained in effect until the end of the funding year. A BEAR form was filed prior to the SPIN change being completed and denied due to a reduced commitment. A reduced commitment was at no time requested. It appears that the confusion is a direct result of the way that we were told to fill out the Change of SPIN form when a split of an FRN is requested.

We are requesting the following. FRN 1157830 should not have had the funding reduced beyond what was transferred to the new FRN. Per my calculations, FRN 1157830 should have a funding level of \$116,553.60. This was calculated as follows:

Funding level from FDCL  $\$161,880.00 / 12 \text{ months} = \$13,790.00$  per month  
Monthly funding level of  $\$13,790.00 \times 6 \text{ months (07-01-2004 to 01-01-2005)} = \$80,940.00$   
Monthly funding level of  $\$8,426.31 (\$13,790.00 - \$5363.69) \times 6 \text{ months (01-01-2005 to 06-30-2005)} = \$50,557.86$   
Total funding for this FRN should have remained at  $\$131,497.86$ .

Please have the appropriate funding level restored to FRN 1157830. Also, please process the BEAR form that was denied due to the reduction in funding for this FRN. The 472 Invoice Number for this is 546522.

Should there be any questions regarding this request, please direct them to Mark Seltzer at 610-280-3810

Thank you for your cooperation.

Sincerely,



Mark Seltzer

Telecommunications Consultant

Phone: 610-280-3810

Fax: 610-280-6111

Email: [markseltzer@trmgi.com](mailto:markseltzer@trmgi.com)

**Change of SPIN request Number 1**


1. Billed Entity Number: 23590
2. Applicant Name: New Brunswick School District
3. FRN: 1157830
4. 471 Application Number: 420048
5. Applicant Contact: Mark Seltzer
6. Applicant Phone: 610-280-3810
7. Applicant Email: markseltzer@trmgi.com
8. Original SPIN: 143001362
9. Original Service Provider: Verizon-New Jersey Inc.
10. Original Service Provider Contact: Mary Eelis
11. Original Service Provider Phone: 800-547-5474
12. Original Service Provider Email: n/a
13. New SPIN: 143001209
14. New Service Provider: ATX Telecommunications Services, LTD
15. New Service Provider Contact: Jake Hampson
16. New Service Provider Phone: 800-220-2892
17. New Service Provider Email: n/a
18. The original provider has supplied services under this FRN. The following is a breakdown of charges.
  - i. Monthly pre-discount amount for original service provider: \$7554.49
  - j. Monthly pre-discount amount for new service provider: \$4710.46
  - k. Effective date of change: 01-01-2005
  - l. Last day of service: 06-30-2005

**Remarks:**

This request is to change a portion of the local telephone service and local calling from Verizon to ATX Communications.

Revised to combine both Requests changing the Verizon Services to be with ATX Communications.

19. I certify that (1) all SPIN changes requested in this letter are allowed under the applicable state and local procurement rules, (2) the SPIN changes are allowable under the terms of the contract, if any, between the applicant and its original service provider, and (3) the applicant has notified the original service provider of its intent to change service providers

  
Richard Janbarone  
Business Administrator

10/14/08  
Date

**Change of SPIN request Number 1**

1. Billed Entity Number: 23590
2. Applicant Name: New Brunswick School District
3. FRN: 1157830
4. 471 Application Number: 420048
5. Applicant Contact: Mark Seltzer
6. Applicant Phone: 610-280-3810
7. Applicant Email: markseltzer@trmgi.com
8. Original SPIN: 143001362
9. Original Service Provider: Verizon-New Jersey Inc.
10. Original Service Provider Contact: Mary Eelis
11. Original Service Provider Phone: 800-547-5474
12. Original Service Provider Email: n/a
13. New SPIN: 143001209
14. New Service Provider: ATX Telecommunications Services, LTD
15. New Service Provider Contact: Jake Hampson
16. New Service Provider Phone: 800-220-2892
17. New Service Provider Email: n/a
18. The original provider has supplied services under this FRN. The following is a breakdown of charges.
  - a. Monthly pre-discount amount for original service provider: \$3324.78 \*
  - b. Monthly pre-discount amount for new service provider: \$1810.16 \*
  - c. Effective date of change: 11-1-2004
  - d. Last day of service: 06-30-2005

\* The amounts given are for the intra-lata toll provider change only

**Remarks:**

The only item on the FRN that is changing providers is the intra-lata tolls. All other items will remain with the original service provider. The intra-lata tolls will be combined with the same provider as the long distance carrier that is covered in the next section.

19. I certify that (1) all SPIN changes requested in this letter are allowed under the applicable state and local procurement rules, (2) the SPIN changes are allowable under the terms of the contract, if any, between the applicant and its original service provider, and (3) the applicant has notified the original service provider of its intent to change service providers

  
Richard Janherne  
Business Administrator

10/14/28  
Date

**Change of SPIN request Number 1**

1. Billed Entity Number: 23590
2. Applicant Name: New Brunswick School District
3. FRN: 1157830
4. 471 Application Number: 420048
5. Applicant Contact: Mark Seltzer
6. Applicant Phone: 610-280-3810
7. Applicant Email: markseltzer@trmgi.com
8. Original SPIN: 143001362
9. Original Service Provider: Verizon-New Jersey Inc.
10. Original Service Provider Contact: Mary Eelis
11. Original Service Provider Phone: 800-547-5474
12. Original Service Provider Email: n/a
13. New SPIN: 143001209
14. New Service Provider: ATX Telecommunications Services, LTD
15. New Service Provider Contact: Jake Hampson
16. New Service Provider Phone: 800-220-2892
17. New Service Provider Email: n/a
18. The original provider has supplied services under this FRN. The following is a breakdown of charges.
  - i. Monthly pre-discount amount for original service provider: \$4229.71
  - j. Monthly pre-discount amount for new service provider: \$2900.00
  - k. Effective date of change: 01-01-2005
  - l. Last day of service: 06-30-2005

**Remarks:**

This request is to change a portion of the local telephone service and local calling from Verizon to ATX Communications.

19. I certify that (1) all SPIN changes requested in this letter are allowed under the applicable state and local procurement rules, (2) the SPIN changes are allowable under the terms of the contract, if any, between the applicant and its original service provider, and (3) the applicant has notified the original service provider of its intent to change service providers

  
Richard Janbarone  
Business Administrator

10/14/28  
Date



### Change of SPIN request Number 2

1. Billed Entity Number: 23590
2. Applicant Name: New Brunswick School District
3. FRN: 1157902
4. 471 Application Number: 420048
5. Applicant Contact: Mark Seltzer
6. Applicant Phone: 610-280-3810
7. Applicant Email: markseltzer@trmgi.com
8. Original SPIN: 1433001192
9. Original Service Provider: AT&T Corp.
10. Original Service Provider Contact: E-rate Coordinator
11. Original Service Provider Phone: 877-272-2544
12. Original Service Provider Email: n/a
13. New SPIN: 143001209
14. New Service Provider: ATX Telecommunications Services, LTD
15. New Service Provider Contact: Jake Hampson
16. New Service Provider Phone: 800-220-2892
17. New Service Provider Email: n/a
18. The original provider has supplied services under this FRN. The following is a breakdown of charges.
  - e. Monthly pre-discount amount for original service provider: \$2000.00
  - f. Monthly pre-discount amount for new service provider: \$1309.89
  - g. Effective date of change: 11-1-2004
  - h. Last day of service: 06-30-2005

### Remarks:

This request is to change the long distance carrier from AT&T to ATX Communications. In addition, the previous request is to change the intra-lata tolls from Verizon to also be combined with this FRN. This will combine the intra-lata tolls and long distance to both be with ATX Communications.

It is expected that there may be overlapping invoices for some period from the original service provider and the new service provider.

19. I certify that (1) all SPIN changes requested in this letter are allowed under the applicable state and local procurement rules, (2) the SPIN changes are allowable under the terms of the contract, if any, between the applicant and its original service provider, and (3) the applicant has notified the original service provider of its intent to change service providers

  
Richard Janbarone  
Business Administrator

10/14/28  
Date



Universal Service Administrative Company  
Schools & Libraries Division

Revised Funding Commitment Decision Letter  
(Funding Year 2004: 07/01/2004 - 06/30/2005)

April 15, 2005

NEW BRUNSWICK SCHOOL DISTRICT  
Mark Seltzer  
256 Eagelview Blvd. #513  
Exton, PA 19341

RE: Form 471 Application Number: 420048  
Billed Entity Number: 123590  
Applicant's Form Identifier: NBOE-2004-7

This letter is the official Funding Commitment Decision Letter (FCDL) providing you with the dollar value and other details of the funding commitment(s) made for the FCC Form 471 Application identified above in response to your appeal.

The Funding Commitment Report (Report) that follows this Revised FCDL contains a list of items that were included in your original FCDL. An explanation of the items in the attached report is included in the sample FCDL posted to the SLD section of the USAC web site, and was included in your original FCDL. Depending on the nature of your appeal, this Report may have been updated to reflect the new total amount of discount for a funding request. Applicants should use THIS updated information when completing the FCC Form 486, if Form 486 has not already been submitted.

This same information is being sent to the service provider(s) whose Service Provider Identification Number (SPIN) was featured in your funding request(s). We urge you to contact your service provider(s) to make any necessary arrangements regarding delivery of service and provision of your discounts.

#### IMPLEMENTATION TIMEFRAME

The Federal Communications Commission (FCC) released on June 29, 2001, an Order extending the implementation period for non-recurring services. Any non-recurring service for which funds are committed in this letter may be delivered and installed up to September 30, 2006. Support for recurring services, however, is available only for services provided during the period July 01, 2004 through June 30, 2005.

If Forms 486 have not already been submitted for these services provided by this service provider as identified by the SPIN in the attached Funding Report, Forms 486 must be received or postmarked no later than 120 days after the Service Start Date, or 120 days after the date of an FCDL that approves funding, whichever is later, to receive discounts retroactively to the Service Start Date. If any funding was approved in the original FCDL and any services were provided by the service provider whose SPIN was referenced in the original Funding Report, the deadlines described above are calculated based on the original FCDL. If these services are approved as a result of a SPIN Correction, a new Form 486 will be required to allow invoicing for such services.

#### NEXT STEPS

Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step will be to facilitate receipt of discounts as explained in this letter.

**RECURRING SERVICES:** In order to receive reimbursement, you must file Form 486, Receipt of Service Confirmation Form, if it has not already been filed. The Form

486 notifies the SLD that services have been delivered. It also provides certified indication that your technology plan(s), if required, has been approved. The Form 486 and instructions are posted on the SLD web site at [www.sl.universalservice.org](http://www.sl.universalservice.org). You may also contact the SLD Client Service Bureau by fax at 1-888-276-8736 or by phone at 1-888-203-8100 and ask that the form and instructions be sent to you. The Form 486, dated August 2003 in the lower right corner, MUST be used. As you complete Form 486, you should also contact your service provider(s) to verify they have received notice from the SLD of your funding commitment(s). After the SLD processes your Form 486, we can begin processing invoices for those discounted services (either the FCC Form 472, Billed Entity Applicant Reimbursement Form filed by the applicant or the FCC Form 474, Service Provider Invoice Form filed by the service provider).

**NON-RECURRING SERVICES:** Since these commitments come well after your application was submitted, it is possible that Contract Expiration Dates indicated on the FCC Form 471 will have passed. The attached Funding Commitment Report for this application includes the Contract Expiration Date from the Form 471, if provided. FCC rules grant a limited extension for contracts for non-recurring services. "[C]ontracts for nonrecurring services may be voluntarily extended to coincide with the appropriate deadline for the implementation [of delivery and installation for nonrecurring services]. Parties may not, however, extend other contractual provisions beyond the dates established by the Commission's rules without complying with the competitive bidding process." [FCC 01-195, released June 29, 2001]. If you have been waiting for this commitment letter before directing your service provider to start non-recurring service and if the Contract Expiration Date on the Form 471 has passed, the SLD will not be able to process a Form 486 with a reported Service Start Date after the Contract Expiration Date. If this is true for you, you should first negotiate a contract extension with your service provider and then file an FCC Form 500, Adjustment to Funding Commitment and Modification to Receipt of Service Confirmation Form, to notify the SLD of the new Contract Expiration Date. After submitting the Form 500, your next step will be to file the Form 486 with the SLD.

If you have any questions about this Revised FCDL, please call our Client Service Bureau.

#### TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
  - appellant name,
  - applicant or service provider name,
  - BEN and/or SPIN,
  - application or form number as assigned by the SLD,
  - name of the letter and funding year (both are located at the top of the letter), AND
  - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site at [www.sl.universalservice.org](http://www.sl.universalservice.org). Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division  
Box 125 - Correspondence Unit  
80 South Jefferson Road  
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that Universal Service Administration Company (USAC) and/or the Federal Communications Commission (FCC) may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
Universal Service Administrative Company

FUNDING COMMITMENT REPORT  
Billed Entity Name: NEW BRUNSWICK SCHOOL DISTRICT  
BEN: 123590  
Funding Year: 2004

Form 471 Application Number: 420048  
Funding Request Number: 1157830  
Funding Status: Funded  
Category of Service: TELCOMM SERVICES  
Form 470 Application Number: 110440000487825  
SPIN: 143001362  
Service Provider Name: Verizon New Jersey Inc  
Contract Number: MTM  
Billing Account Number: 732-729-7297  
Service Start Date: 07/01/2004  
★ Contract Expiration Date: 12/31/2004 ★  
Number of Months Recurring Service Provided in Funding Year: 6  
Annual Pre-discount Amount for Eligible Recurring Charges: \$45,326.94  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$45,326.94  
Discount Percentage Approved by the SLD: 71%  
Funding Commitment Decision: \$32,182.13  
Funding Commitment Decision Explanation: SPLIT FRN

Revised FCDL Date: 04/15/2005  
Appeal Wave Number: A02

Form 471 Application Number: 420048  
Funding Request Number: 1157902  
Funding Status: Funded  
Category of Service: TELCOMM SERVICES  
Form 470 Application Number: 110440000487825  
SPIN: 143001192  
Service Provider Name: AT&T Corp.  
Contract Number: MTM  
Billing Account Number: 0190902051001  
Service Start Date: 07/01/2004  
Contract Expiration Date: 10/31/2004  
Number of Months Recurring Service Provided in Funding Year: 4  
Annual Pre-discount Amount for Eligible Recurring Charges: \$8,000.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$8,000.00  
Discount Percentage Approved by the SLD: 71%  
Funding Commitment Decision: \$5,680.00  
Funding Commitment Decision Explanation: SPLIT FRN

Revised FCDL Date: 04/15/2005  
Appeal Wave Number: A02

FUNDING COMMITMENT REPORT  
Billed Entity Name: NEW BRUNSWICK SCHOOL DISTRICT  
BEN: 123590  
Funding Year: 2004

Form 471 Application Number: 420048  
Funding Request Number: 1354087  
Funding Status: Funded  
Category of Service: TELCOMM SERVICES  
Form 470 Application Number: 110440000487825  
SPIN: 143001209  
Service Provider Name: ATX Telecommunications Services, Ltd.  
Contract Number: T  
Billing Account Number: N/A  
Service Start Date: 11/01/2004  
Contract Expiration Date: 06/30/2005  
Number of Months Recurring Service Provided in Funding Year: 8  
Annual Pre-discount Amount for Eligible Recurring Charges: \$10,479.12  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$10,479.12  
Discount Percentage Approved by the SLD: 71%  
Funding Commitment Decision: \$7,440.18  
Funding Commitment Decision Explanation: SPLIT FRN

Revised FCDL Date: 04/15/2005  
Appeal Wave Number: A02

Form 471 Application Number: 420048  
Funding Request Number: 1354089  
Funding Status: Funded  
Category of Service: TELCOMM SERVICES  
Form 470 Application Number: 110440000487825  
SPIN: 143001209  
Service Provider Name: ATX Telecommunications Services, Ltd.  
Contract Number: T  
Billing Account Number: N/A  
Service Start Date: 01/01/2005  
Contract Expiration Date: 06/30/2005  
Number of Months Recurring Service Provided in Funding Year: 6  
Annual Pre-discount Amount for Eligible Recurring Charges: \$28,262.76  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$28,262.76  
Discount Percentage Approved by the SLD: 71%  
Funding Commitment Decision: \$20,066.56  
Funding Commitment Decision Explanation: SPLIT FRN

Revised FCDL Date: 04/15/2005  
Appeal Wave Number: A02